

Message Text

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PAGE 01 STATE 097192
ORIGIN ARA-14

INFO OCT-01 ISO-00 OES-07 CG-00 DOTE-00 CIAE-00 INR-10
NSAE-00 L-03 COME-00 INT-05 DLOS-09 EB-08 DODE-00
H-01 AGRE-00 SS-15 NSC-05 /078 R

DRAFTED BY ARA/RPP:CEFINAN:BJF:OES/OFA/FA:LLSNEAD:EEB
APPROVED BY ARA/RPP:JAPARKER
ARA:MR. ARELLANO
ARA/AND-MR. BARNEBEY
OES/OFA:AMB.NEGROPONTE
-----032475 151431Z /65
R 150301Z APR 78
FM SECSTATE WASHDC
TO AMEMBASSY CARACAS

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E.O. 11652: N/A

TAGS: EFIS, VE, US

SUBJECT: FISHERIES: VENEZUELAN INTEREST IN FISHING AGREE-
MENT

1. SUMMARY: AGRICULTURE MINISTER PINTO COHEN MET WITH
DEPUTY ASSISTANT SECRETARY NEGROPONTE APRIL 10 TO INVESTI-
GATE NECESSARY STEPS FOR SIGNING A FISHING AGREEMENT TO
ENABLE GOV FISHERMEN TO OPERATE OFF U.S. COAST PURSUANT TO
THE FISHERIES CONSERVATION AND MANAGEMENT ACT OF 1976 (FCMA)
NEGROPONTE STATED THAT ALTHOUGH U.S. WOULD BE WILLING TO
SIGN AN AGREEMENT, GOV MUST UNDERSTAND
AT OUTSET THAT SIGNING ONE DOES NOT GUARANTEE A FOREIGN
NATION ACCESS TO OUR FISH. HE EMPHASIZED THAT CURRENT SUR-
PLUS STOCKS ARE SHARPLY REDUCED AND FULLY UTILIZED, AND
SINCE GOV HAS NO TRADITIONAL FISHERY OFF U.S. IT IS VERY
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DOUBTFUL GOV WOULD GET AN ALLOCATION UNLESS A RECIPROCAL
FISHERY INTEREST COULD BE ESTABLISHED (E.G. PERMIT U.S.
ACCESS TO FISH SHRIMP OFF GOV IN RETURN FOR A GOV ALLOCATION
OFF US COAST). PINTO IMPLIED THAT EXCELLENT US/VENEZUELAN
RELATIONS ARGUE AGAINST TAKING A POSITION BASED SIMPLY ON
NUMBERS OF FISH, BUT HE UNDERSTANDS THE PROBLEM. IT WAS
AGREED THAT THE US WILL COLLECT TECHNICAL EXPERTS TO TALK

TO VENEZUELAN COUNTERPARTS, HERE IN WASHINGTON, ABOUT AVAILABILITY OF FISH IN US AND GOV ZONES BEFORE AN AGREEMENT IS

SIGNED. NEGROPONTE EXPRESSED INTEREST IN THE AVAILABILITY OF SHRIMP IN VENEZUELAN WATERS AND NOTED THE UNDEREMPLOYMENT OF US SHRIMP FISHERMEN. PINTO SHOWED CAUTIOUS INTEREST: THE SHRIMP STOCK MIGHT PROVIDE, UNDER RECIPROCITY, SOME BASIS FOR GIVING VENEZUELA SPECIAL TREATMENT. END SUMMARY.

2. APRIL 10 AGRICULTURE MINISTER GUSTAVO PINTO COHEN, HIS ASSISTANT JOSE HERNAN BRICENO AND WASHINGTON EMBASSY AGRICULTURE ATTACHE OSCAR PIETRI MET WITH DEPUTY ASSISTANT SECRETARY FOR OCEANS AND FISHERIES AFFAIRS JOHN NEGROPONTE AND OTHER REPRESENTATIVES OF OES AND ARA. PINTO EXPLAINED THAT VENEZUELA HAS WANTED QUOTAS TO FISH IN US WATERS SINCE 1975, AND RECENT VENEZUELAN ECONOMIC ZONE LAW AND SIGNING OF MARITIME BOUNDARIES AGREEMENT WITH US FACILITATE A FISHERIES AGREEMENT AT THIS TIME. HE REFERRED TO PRESIDENT CARTER'S STATEMENT DURING VISIT TO VENEZUELA THAT SUCH AN AGREEMENT IS THE "NEXT STEP" AFTER THE MARITIME BOUNDARIES AGREEMENT.

3. NEGROPONTE REPLIED THAT A PRELIMINARY EXAMINATION OF THE VENEZUELAN RESPONSE TO A COPY OF OUR STANDARD GOVERNING INTERNATIONAL FISHERY AGREEMENT (GIFA) INDICATES WE WOULD LIMITED OFFICIAL USE

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APPEAR TO HAVE NO TROUBLE REACHING ACCORD ON THE TEXT. HOWEVER, WE WOULD MISLEAD FRIENDLY NATIONS IF WE DID NOT CAREFULLY EXPLAIN THAT UNDER U.S. LAW SIGNING A GIFA DOES NOT GUARANTEE A FOREIGN COUNTRY AN ALLOCATION OF US FISH, BUT ONLY THE OPPORTUNITY TO APPLY FOR A PORTION OF ANY SURPLUS IDENTIFIED UNDER FCMA PROVISIONS. HE ALSO STRESSED THAT ACCESS TO OUR FISH IS BY POLICY RESTRICTED TO COUNTRIES WHICH HAVE HISTORICALLY FISHED IN OUR WATERS OR COUNTRIES WHICH GRANT OUR FISHERMEN RECIPROCAL BENEFITS IN THEIR WATERS. HE EMPHASIZED THAT THE SURPLUS FOR FOREIGN FISHING OFF U.S. IN THE ATLANTIC WAS REDUCED BY 51 PERCENT IN 1978 WHICH CREATED GREAT CONCERN BY COUNTRIES HAVING LONG-STANDING FISHERIES IN THAT AREA, AND THAT TWO SUCH COUNTRIES RECEIVED NO ALLOCATION. NEGROPONTE ALSO EMPHASIZED THAT THE CURRENT SURPLUS IS FULLY UTILIZED AND SINCE THE GOV HAS NO TRADITIONAL FISHERY OFF THE U.S. COAST IT IS VERY UNLIKELY THAT THE GOV WILL GET AN ALLOCATION UNLESS THE GOV WOULD BE WILLING TO ALLOW U.S. FISHERMEN TO OPERATE OFF ITS COAST FOR SHRIMP OR OTHER SPECIES.

4. PINTO REPLIED HE IS AWARE OF THIS FEATURE OF US LAW AND POLICY. HE POINTED OUT THAT IN THE CONTEXT OF US/

VENEZUELAN RELATIONS THE ASSIGNMENT TO VENEZUELA OF A FISHING QUOTA CANNOT BE REDUCED TO MERELY A TECHNICAL MATTER

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RELATED TO MANY COMPETING REQUESTS FOR A SHRINKING ALLOCATION FOR FOREIGN FISHERMEN. HE ALSO SAID VENEZUELAN DESIRES ARE QUITE LIMITED. HE ASKED FOR TECHNICAL ADVICE ON WHAT VENEZUELA SHOULD DO NEXT.

5. NEGROPONTE STRESSED THAT US POLICY ON ASSIGNING ALLOCATIONS IS QUITE FIRM AND THAT OUR LAW IS DESIGNED TO GRANT PREFERENCES TO US FISHERMEN AT THE EXPENSE OF FOREIGN FISHING COUNTRIES, EVEN THOSE WITH WHICH WE HAVE THE BEST RELATIONS. HE POINTED TO SOME EXAMPLES OF FRIENDS AND LIMITED OFFICIAL USE

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6. PINTO LEFT NOTE VERBALE (BEING POUCHED) BASED ON HIS PRESENTATION AND PRONOUNCED HIMSELF PLEASED WITH RESULT OF VISIT. NEGROPONTE AGAIN MENTIONED THE SUBJECT OF RECIPROCITY, ASKING ABOUT VENEZUELAN SHRIMP STOCKS, NOTING THAT US SHRIMP FISHERMEN ARE UNDEREMPLOYED AT PRESENT AND MAY BE INTERESTED IN FISHING OFF THE GOV COAST. PINTO SHOWED CAUTIOUS INTEREST, STATING THAT VENEZUELA ALREADY EXPORTS A SMALL QUANTITY OF SHRIMP TO THE US. NEGROPONTE ASSURED PINTO THAT WE WILL BE BACK IN TOUCH SHORTLY.

7. FYI. OUR EXPERIENCE WITH UNHAPPY NATIONS CONFRONTED WITH ZERO US QUOTAS AFTER SIGNING GIFA'S WITH US HAS SHOWN THAT WE MUST REPEATEDLY EMPHASIZE THAT OUR ABILITY TO FURNISH ALLOCATIONS TO OTHER NATIONS IS STEADILY SHRINKING AS DOMESTIC FISHERMEN INCREASE THEIR CATCH. THERE MAY BE AN OPPORTUNITY IN SPECIES AMERICANS DO NOT UTILIZE OR FIND UNECONOMICAL TO CATCH, BUT THAT IS PROBABLY NO HELP TO AN UNDERDEVELOPED FISHING NATION LIKE VENEZUELA. THE AVAILABILITY OF SHRIMP IN VENEZUELA'S FISHERY ZONE MIGHT SHOW US A WAY TO PROCEED; HOWEVER, MOST OF THEM ARE INSIDE VENEZUELA'S TERRITORIAL SEA AND FOREIGNERS TAKING THEM COULD BE A VERY SENSITIVE ISSUE. IN ANY CASE THERE APPEARS TO BE NO OBSTACLE TO THE AGREEMENT AS SOON AS OUR TECHNICIANS AND VENEZUELA'S HAVE LOOKED INTO WHAT IS AVAILABLE LIMITED OFFICIAL USE

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APPROVED BY OES/OFA/FA:LLSNEAD

-----051734 180209Z /73

P 171955Z APR 78

FM SECSTATE WASHDC

INFO AMEMBASSY MEXICO PRIORITY 0000

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FOR ROLF JUHL

FOLLOWING REPEAT STATE 097192 ACTION CARACAS APR 15.

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TAGS: EFIS, VE, US
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